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FISCAL IMPACT REPORT

SPONSOR:	Powdrell-Culbert	DATE TYPED:	2/25/03	HB	912
SHORT TITLE: Treatment Programs for Meritorious Deductions				SB	
		YST:	Reynolds-Forte		

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
			Substantial	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

Responses Received From
New Mexico Corrections Department

SUMMARY

Synopsis of Bill

HB912 makes inmates who are within twelve (12) months or less of their projected release date ineligible for earned meritorious deductions ("good time") unless the inmate actively participates in:

- A drug abuse treatment program if the inmate's crime was drug related;
- An alcohol abuse treatment program if the inmate's crime was alcohol related; or
- A sex offender treatment program if the inmate's offense was a sex offender.

Significant Issues

The most significant issue to the Corrections Department is the increase in costs due to the increase in prison population that will result.

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- 1. The Department estimates that approximately 60% to 80% of its entire prison population are incarcerated for either sex offenses or alcohol or drug related offenses. In other words, the vast majority of the population would have to be provided such programs during the last year of their incarceration in order to earn "good time." The Department currently has insufficient staff and/or other resources to provide this amount of programming.
- 2. Many inmates may refuse to actively participate in such programming and thus lengthier prison sentences will results in more cost to the Department.
- 3. If the bill contained funding for an increase in substance abuse and sex offender programming, the bill could have a positive impact upon Department parole programs, because more inmates would receive treatment before release from prison. Since the bill does not contain the funding necessary to create the "mandatory" level of programming in prison, it could dilute and negatively impact existing substance abuse and sex offender programs.

FISCAL IMPLICATIONS

The Corrections Department is concerned there is no appropriation in the bill to cover the substantial increase in costs. The Department currently has the ability to provide substance abuse and sex offender programming to only about 10% of the 40% inmate population targeted by this bill. The Department would need additional funding for either more F.T.E. or additional contracts to provide such treatment.

In the long term, there will be a substantial increase in costs due to larger prison populations resulting from longer periods of incarceration. The cost for each additional male inmate is \$64.53 per day or \$23,553 per year and \$68.82 per day or \$25,119 per year for each additional female inmate.

ADMINISTRATIVE IMPLICATIONS

In both the short term and the long term, the bill would result in a dramatic increase in the administrative burden upon substance abuse treatment staff, mental health staff and others in order to provide services to a much greater number of inmates.

RELATIONSHIP

Relates to HB839 which expands the list of offenses for a serious violent offense and amends eligibility formula for earned meritorious deductions.

PRF/njw